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Application Number: 10/706,421

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## REMARKS

In an office action mailed on 12/31/2008, Claims 1-4 and 6-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmuelling et al., United States Patent Number 6,603,758(hereinafter Schemuelling) in view of Bahlmann, United States Patent Number 6,195,689(hereinafter Bahlmann); Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmuelling in view of Bahlmann. The office action is made final. A Request for Continued Examination under 37 CFR 1.114 is timely filed along with the fee set forth under 37 CFR 1.17(e). The application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) is timely paid, hence the finality of the previous office action should be withdrawn pursuant to 37 CFR 1.114, and this submission should be entered.

Based upon the Response to Arguments in the Office Action, the Applicant respectfully discusses the claimed invention below, with the aim of clarifying the Examiner's understanding and advancing the prosecution. Claims 1-18 describe a system and process of setting the operational behavior of a particular device via selection of values representing subsets of configuration parameters. Each value represents a subset of a larger standardized set of configuration parameters. A configuration file on a server is written with the values representing the subsets of configuration parameters. Thus, a configuration file for a specific device is generated (written) with values representing subsets of standardized configuration parameters.

These values are then applied to a network device to enable or disable subsets of standardized configuration parameters by setting software switches.

In the Response to Arguments, the Office suggests that Schemuelling, Fig. 2, step 222 describes saving values corresponding to selected subsets of standardized network configuration parameters to a configuration file on a server with a user interface.

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Respectfully, this is not the case. Schemuelling merely teaches that once the user 130 and administrator 146 finalize agreement 150, then administrator 146 notes the agreement in registry 148 and notifies CMI 136 that computer 127 is registered. Upon receipt of this notice (step 220), CMI callout 138 modifies the entry in database 140 corresponding to the MAC address of computer 127 (step 222) to indicate that computer 127 is registered with the selected ISP. In other words, what the Office equates with saving values corresponding to selected subsets of standardized network configuration parameters to a configuration file on a server, is in fact nothing more than recording that a computer has registered with a selected ISP. The registration value described in step 222 of Schemuelling would be have no effect as a configuration parameter applied to a device, because all it does is indicate whether the device is registered with an ISP or not.

The Office further suggests that Bahlmann teaches a configuration file saved and loaded to a server. The configuration file referred to (element 202) comprises configuration parameters for a software tool, not values representing subsets of standardized configuration parameters for a device. See col. 1 line 45 to col. 2 line 26. Clearly, a combination Schmuelling and Bahlmann would fail to teach significant aspects of the claims, and thus fail as a basis of rejection under 35 USC 103(a). For example, neither reference teaches (1) a configuration file comprising values representing subsets of standardized configuration parameters for a device, or (2) loading to a device values representing subsets of standard device configuration parameters to set software switches in the device.

The Applicant therefore respectfully requests that the rejection of claims 1-18 based upon Schmuelling and Bahlmann should be withdrawn.

Regarding the rejection of claims 19-25, the Applicant respectfully points out that the Office Action misstates the recited limitations in these claims. Claim 19 recites a method for designating one or more of a plurality of communication parameters and features making up a communication protocol standard specification as belonging in a

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predetermined subset of said plurality of parameters and features. The method includes, inter alia:

(1) collecting information associated with each one of a plurality of networking devices that are purported to implement and support said standard, said information including the parameters and features that are supported by each of said plurality of networking devices.

This feature is lacking from both Schmuelling and Bahlmann, and the Office fails to cite any material in either reference in support of the rejection of this feature specifically.

(2) determining patterns of support and implementation of the parameters and features of devices of a similar type based on the association of information with its corresponding device.

Again, this feature is lacking from both Schmuelling and Bahlmann, and the Office fails to cite any material in either reference in support of the rejection of this feature specifically.

(3) designating subsets of standard parameters and features based on the determined patterns.

Again, this feature is lacking from both Schmuelling and Bahlmann, and the Office fails to cite any material in either reference in support of the rejection of this feature specifically.

The rejection of claims 19-25 based upon Schmuelling and Bahlmann is clearly improper and should be withdrawn.

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In view of the above amendments and remarks, applicant believes that this application is now in condition for allowance. Applicant respectfully requests that a Notice of Allowability be issued covering the pending claims. If the Examiner believes that a telephone interview would in any way advance prosecution of the present application, please contact the undersigned.

Signature      /Charles A. Mirho/      Date: 6/2/2008  
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